



Editor's Foreword

By Elizabeth Humphreys

— Bugs —

If you litigate, there are inevitably legal practitioners and practices that "bug" you. *California Litigation* takes a look at the issues and attitudes "bugging" judges and attorneys about the law, the State Bar and the legal profession. The articles in this issue are both informative and thought provoking. While reading through them you should bear in mind that in our profession "sometimes you're the windshield and sometimes you're the bug."

Joan Wolff offers insights on the expanding use of writ petitions as the sole method of challenging trial court rulings on appeal. She alerts counsel to the shortened deadlines and procedural requirements that differentiate a writ from a direct appeal.

Carole Langford and *Claude Piller* warn lawyers about the inevitable call they will receive from a State Bar investigator. They urge attorneys to reject their initial impulse to deny the situation and explain how to respond when the call comes.

The Honorable Paul Turner compares preparing for oral argument to writing a good speech. Attorneys are admonished to summon the logical force of their arguments and put logic and reason before flowery words and flourishes.

Patricia Nicely Kopf analyzes why associates "don't stay" when firms are going to greater lengths than ever before to attract and keep them. Keeping associates seems to require multiple strategies all of which demand greater partner commitment.

Robert S. Gerber explores why members of the State Bar, with and without justification, view the Bar as a "necessary evil." He suggests that despite major changes making the Bar a better and more efficient organization, there is more to be done before the "bugs" are exterminated.

Robert N. Berg defines the term "difficult attorney" and provides coping strategies for the complex, quirky and occasionally outrageous personalities we deal with in our profession.

Nicki Carlson and *Douglas E. Wance* provide us with a bug's view of environmental protection and the Endangered Species Act. Their article reminds us that before we refer to our opponents as "insects" we should consider what we are truly saying.

The Honorable W.F. Rylaarsdam's Judicial Opinion analyzes how the appellate divisions of our Superior Courts function and finds the system lacking in resources and adequate procedures. He recommends

changes that would allow the appellate divisions to be administered more like the Courts of Appeal.

— Looking Ahead —

Our next issue on "Employment Law" will analyze current issues in employment litigation including mandatory arbitration agreements, summary judgments, whistle blowing and how to evaluate damages.

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The journal is sent free to members of the Litigation Section.

The Litigation Section

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